

**UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

ARIEL SIMPSON, DOMINIQUE)	
BROGDEN, TARA MARTINS, GREGORY)	Case No. 3:22-cv-00747
SWANN, DANIELLE ROMANOFF and)	
PERRY ROYSTER, Individually and on)	Judge Aleta A. Trauger
Behalf of All Others Similarly Situated,)	
)	
Plaintiffs,)	
)	
v.)	
)	
NISSAN NORTH AMERICA, INC. and)	
NISSAN MOTOR CO., LTD.,)	
)	
Defendants)	

**PLAINTIFFS' NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE OF
NISSAN MOTOR CO., LTD**

Plaintiffs Ariel Simpon, Dominique Brodgen, Tara Martins, Gregory Swann, Danielle Romanoff and Perry Royster (“Plaintiffs”), on behalf of themselves and all others similarly situated, voluntarily dismiss their complaint against Nissan Motor Co., Ltd., without prejudice pursuant to Federal Rule of Civil Procedure 21,¹ with each side to bear its own costs and attorneys’ fees. Plaintiffs aver that dismissal of Defendant Nissan Motor Co., Ltd. will maximize efficiency and judicial economy.

Dated: March 11, 2024

Respectfully submitted,

/s/ J. Gerard Stranch, IV

J. Gerard Stranch, IV (BPR #23045)

¹ Courts in the Sixth Circuit recognize Rule 21, as opposed to Rule 41, as the appropriate vehicle for dismissal of a single party. *See, e.g., Mullins v. C.R. Bard, Inc.*, 2020 WL 4288400, at *1 (E.D. Ky. July 27, 2020) (collecting cases).

STRANCH, JENNINGS & GARVEY, PLLC

223 Rosa L. Parks Ave., Ste 200

Nashville, TN 37203

Phone: 615-254-8801

Fax: 615-255-5419

gerards@bsjfirm.com

Mark S. Greenstone

GREENSTONE LAW APC

1925 Century Park East, Suite 2100

Los Angeles, California 90067

Phone: 310-201-9156

Fax: 310-201-9160

mgreenstone@greenstonelaw.com

Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

The undersigned certifies the foregoing document was filed with the Court's Case Management/Electronic Case Filing System, on March 11, 2024, and served upon the following counsel:

John S. Hicks
Baker, Donelson, Bearman, Caldwell & Berkowitz, PC (Nash)
1600 West End Ave, Suite 2000
Nashville, TN 37203
Email: jhicks@bakerdonelson.com

E. Paul Cauley, Jr.
S. Vance Wittie
Faegre Drinker Biddle & Reath, LLP
1717 Main St. Suite 5400
Dallas, TX 75201
Email: paul.cauley@faegredrinker.com
Email: Vance.Wittie@faegredrinker.com

Bradley J. Andreozzi
Matthew M. Morrissey
Faegre Drinker Biddle & Reath, LLP
320 South Canal Street, Suite 3300
Chicago, IL 60606
Telephone: (312) 569-1173
Email: Bradley.Andreozzi@faegredrinker.com
Email: Matthew.Morrissey@faegredrinker.com

Attorneys for Defendants

/s/ J. Gerard Stranch, IV
J. Gerard Stranch, IV